

Judge: James F. Holderman, Jr.
Magistrate Judge: Young B. Kim
Filed 04/10/2014
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**UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**

**IN RE: CAPITAL ONE TELEPHONE
CONSUMER PROTECTION ACT (TCPA)
LITIGATION**

MDL No. 2416

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO –16)

On December 10, 2012, the Panel transferred 29 civil action(s) to the United States District Court for the Northern District of Illinois for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. §1407. *See* 908 F.Supp.2d 1366 (J.P.M.L. 2012). Since that time, 24 additional action(s) have been transferred to the Northern District of Illinois. With the consent of that court, all such actions have been assigned to the Honorable James F Holderman, Jr.

It appears that the action(s) on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Northern District of Illinois and assigned to Judge Holderman.

Pursuant to Rule 7.1 of the Rules of Procedure of the United States Judicial Panel on Multidistrict Litigation, the action(s) on the attached schedule are transferred under 28 U.S.C. §1407 to the Northern District of Illinois for the reasons stated in the order of December 10, 2012, and, with the consent of that court, assigned to the Honorable James F Holderman, Jr.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Northern District of Illinois. The transmittal of this order to said Clerk shall be stayed 7 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 7–day period, the stay will be continued until further order of the Panel.

Inasmuch as no objection is
pending at this time, the
stay is lifted.

Apr 10, 2014

CLERK'S OFFICE
UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

FOR THE PANEL:



Jeffery N. Lüthi
Clerk of the Panel

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MDL No. 2416

SCHEDULE CTO-16 – TAG-ALONG ACTIONS

| <u>DIST</u> | <u>DIV.</u> | <u>C.A.NO.</u> | <u>CASE CAPTION</u> | |
|--------------------|--------------------|-----------------------|---------------------------------------|----------|
| FLORIDA SOUTHERN | | | | |
| FLS | 9 | 13-81343 | Bergiste v. Capital One Bank | 14cv2594 |
| NEW YORK SOUTHERN | | | | |
| NYS | 1 | 14-01462 | Howard v. Capital One Bank (USA) N.A. | 14cv2595 |